

RECEIVED

JAN 28 2019

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY DEPUTY CLERK

MILTON GOBERT#999554
POLUNSKY UNIT/DEATH ROW
3872 FM 350 South
LIVINGSTON, TX. 77351
(THIS IS A DEATH PENALTY CASE)

1-20-19

CASE NO. 1:15-cv-42

COURT COORDINATOR
WESTERN DISTRICT OF TEXAS, AUSTIN
UNITED STATES DISTRICT COURT
504 W. 5th STREET
AUSTIN, TEXAS. 78701-0000

RE: SUBSTITUTION MOTION/NEW COUNSEL

MS/MR. COURT COORDINATOR

I DO NOT RESPECT OR LIKE MY CURRENT ATTORNEY SETH KRETZER, AND HE IS NOT LITIGATING IN MY BEST INTEREST, AND I WILL SHOW YOU AS FOLLOWED: MY MOTHER PASSED AWAY IN APRIL 29th, 2007, AND I EXPLAINED TO SETH KRETZER IF HE COULD SPEAK WITH THE WARDEN ABOUT ME BEING ABLE TO ATTEND THE FUNERAL VIA TELECAST, AND TAKE ME TO BUILDING-1-ON THIS UNIT SO I CAN ~~ATTEND~~ ATTEND MY MOTHER'S FUNERAL. MY MOTHER PASSED IN APRIL 29th 2017. SETH SAID HE HAD TO GO AND LEFT. I ALSO HAVE REASONABLE ISSUES THAT SETH IS NOT FINISHING LITIGATING, AND I WILL EXPLAIN:

- 1) SETH KRETZER, AGREED TO LET NEW COUNSEL COME ON MY CASE, TIVON SCHARDL, AND FILED A MOTION FOR SUBSTITUTION, BUT DID NOT SHOW THE MOTION TO TIVON BEFORE FILING IT.
- 2) TIVON SCHARDL, FILED A RECONSIDERATION MOTION ON MY BEHALF THAT RAISED ISSUES MR. KRETZER COULD HAVE RAISED EARLIER, THAT MOTION WAS DENIED ON MAY 31, 2018.
- 3) TIVON SCHARDL, SENT MR. KRETZER, AND MR. CARLOS D'ANGELO, AN E-MAIL ASKING IF THEY WOULD CONTACT HIM TO DISCUSS THEIR OPTIONS, AND THEY DID NOT RESPOND. TIVON SCHARDL, WAS WANTING TO BE CO-COUNSEL, BUT MY ATTORNEYS OF RECORD DID NOT RESPOND.
- 4) MR. KRETZER AND MR. D'ANGELO, DID NOT RESPOND OR ADVISE ME THAT I COULD CHALLENGE JUDGE PITMAN'S DENIAL OF MY MOTION TO SUBSTITUTE AND NOT JOIN IN PRESSING THOSE ISSUES ON RECONSIDERATION.
- 5) SETH KRETZER AND MR. D'ANGELO, DID NOT RE-URGE THEIR MOTION FOR FUNDS AFTER THE SUPREME COURT, IN, AYESTAS V. DAVIS, 584 U.S. 138 S.Ct. 1080 2018, OVER RULED THE DISTRICT COURT RELIED ON TO DENY MR. KRETZER'S MOTION.
- 6) THE ISSUE OF MY OR ME INVOKING MY RIGHT TO COUNSEL, IN WHICH THE CCA, AND EVEN SHARON KELLER RULED IN A 900 VOTE THAT MY RIGHT'S WERE VIOLATED AND MY TRIAL LAWYER IN A PRE-TRIAL SETTING TRYED TO HAVE COERCION BROUGHT IN AND THAT WHEN I TAKE THE STAND THAT THE PROSECUTOR COULD NOT USE ~~NOTHING~~ NOTHING FROM THE INTERROGATION, NO EVIDENCE THE TRIAL RULED THAT IT WAS NOT COERCION. SETH COULD HAVE RE-URGED THAT MOTION ON APPEAL AS WELL, SAYING THAT THE JUDGE-TRIAL JUDGE SHOULD HAVE SAID IT WAS COERCION. (PD 0202 08
- 7) SETH COULD HAVE ALSO BROUGHT UP THE BOBBY MOORE V. TEXAS 137 S.Ct. 1039 (2017), ~~SEE~~ ATKINS V. VIRGINIA, 536 U.S. 304 (2002), BUT HE HAS NOT AND DID NOT. IN THE BRIEF.

I AM ASKING YOU TO PLEASE HELP SOME WAY TO THIS INJUSTICE, PLEASE.

SINCERELY
MILTON GOBERT

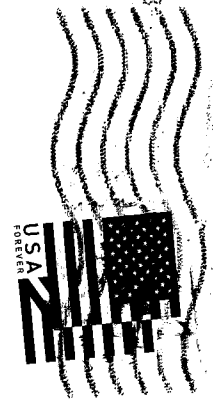
(WITH THE HELP OF AUTHOR BROWN INMATE)

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J

LEGAL MAIL

COURT COORDINATOR
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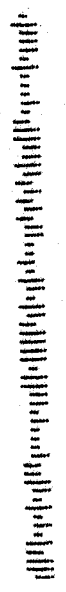
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